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# ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

Report of the Second Committee (Part VII)*

Rapporteur: Mr. Ahmed Yousif MOHAMED (Sudan)

## I. INTRODUCTION

1. The Second Committee held a substantive debate on item 89 (see A/49/729, para. 3). Action to be taken on proposals not related to a specific sub-item was considered at the 21st, 25th, 28th to 32nd and 34th meetings, on 8, 15, 16, 23 and 29 November and on 1, 7 and 13 December 1994. An account of the Committee's consideration of the item is contained in the relevant summary records (A/C.2/49/SR.21, 25, 28-32 and 34).

## II. CONSIDERATION OF DRAFT PROPOSALS

### A. Draft resolutions A/C.2/49/L.8 and L.58

2. At the 21st meeting, on 8 November, the representative of Algeria, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Report of the Commission on Sustainable Development on its second session" (A/C.2/49/L.8), which read:

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* The report of the Committee on this agenda item will be issued in several parts, under the symbol A/49/729 and addenda.

"The General Assembly,

"Recalling its resolution 47/190 of 22 December 1992, in which it endorsed the results of the United Nations Conference on Environment and Development,

"Recalling also its resolution 47/191 of 22 December 1992 on institutional arrangements to follow up the United Nations Conference on Environment and Development,

"Reaffirming the need for a balanced and integrated approach to environment and development issues, and the new global partnership for sustainable development initiated at the Conference,

"Having considered the report of the Commission on Sustainable Development on its second session, 1/ which was held in New York from 16 to 27 May 1994,

"1. Notes the report of the Commission on Sustainable Development on its second session and the recommendations contained therein;

"2. Welcomes the communications regarding the implementation of Agenda 21 2/ provided on a voluntary basis by a number of Governments and organizations at the second session of the Commission;

"3. Expresses its deep concern at the insufficient progress made towards the provision of new and additional financial resources and the transfer of environmentally sound technology to developing countries on concessional and preferential terms for the implementation of Agenda 21, and in that context reiterates its concern that official development assistance has decreased by 10 per cent since the United Nations Conference on Environment and Development;

"4. Stresses the critical need for and importance of the provision of means of implementation to developing countries, especially those relating to new and additional financial resources and the transfer of environmentally sound technology to developing countries on concessional and preferential terms, in order to assist them in implementing Agenda 21 and other decisions of the Conference;

"5. Calls upon the Commission on Sustainable Development, as the relevant forum, to promote the adoption of urgent steps to implement the chapters of Agenda 21 related to the crucial issue of unsustainable patterns of consumption and production, particularly in the developed

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1/ E/1994/33.

2/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions Adopted by the Conference, resolution 1, annex II.

countries, which not only constitute the major cause of the continued global environmental deterioration but also aggravate poverty and imbalances;

"6. Notes the work done so far by the General Agreement on Tariffs and Trade/World Trade Organization, the United Nations Conference on Trade and Development, and the United Nations Environment Programme in the fields of trade, environment and sustainable development, underlines the need to ensure close cooperation and complementarity of work with the Commission on Sustainable Development, and recommends that the Commission, the United Nations Conference on Trade and Development and the United Nations Environment Programme be appropriately represented at the Committee on Trade and Environment of the World Trade Organization;

"7. Encourages, in addition to the participation of ministers of environment in the sessions of the Commission on Sustainable Development, the participation of ministers responsible for development planning, finance and trade in the high-level meetings of the Commission;

"8. Calls upon the Commission on Sustainable Development, in accordance with chapter 38 of Agenda 21, to develop close and clear relationships with other international organizations and entities, such as the conferences of Parties to the United Nations Framework Convention on Climate Change, 3/ the Convention on Biological Diversity, 4/ and the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa, 5/ and the Global Environment Facility in order to increase its effectiveness in monitoring the implementation of Agenda 21 and other decisions of the United Nations Conference on Environment and Development;

"9. Calls upon the international financial institutions and other international organizations to significantly increase their financial resources and technical support for developing countries, and to improve their delivery systems in order to more effectively and demonstrably implement Agenda 21;

"10. Recommends that the members of the international financial institutions take the necessary steps, through their respective governing bodies, to enable their programmes and activities to better reflect Agenda 21 in order to respond to the needs of developing countries;

"11. Endorses the recommendation of the Commission on Sustainable Development to draw up a matrix of policy options and financial instruments

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3/ A/AC.237/18 (Part II)/Add.1 and Corr.1, annex I.

4/ See United Nations Environment Programme, Convention on Biological Diversity (Environmental Law and Institutions Programme Activity Centre), June 1992.

5/ A/49/84/Add.2, annex, appendix II.

and mechanisms that would facilitate the formulation of optimal financing strategies for each of the sectoral clusters under review;

"12. Calls upon the High-level Advisory Board on Sustainable Development, in carrying out its mandate, to ensure that there is more transparency in its work by encouraging a more direct involvement of the members of the Board, in their expert capacity, in the informal meetings held during the Commission on Sustainable Development, as well as to arrange briefing sessions open to all interested parties to highlight the outcome of its meetings;

"13. Stresses the need to ensure balanced, transparent and coherent inter-sessional processes that are participatory in nature in order to facilitate the work of the ad hoc working groups of the Commission on Sustainable Development;

"14. Notes that major groups could play an important role in the implementation of Agenda 21, and encourages them to contribute to the work of the Commission on Sustainable Development;

"15. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community, relevant intergovernmental organizations, agencies, programmes and bodies both within and outside the United Nations system, and relevant non-governmental organizations."

3. At the 32nd meeting, on 7 December, the Vice-Chairman of the Committee, Mr. Arjan P. Hamburger (Netherlands), introduced a draft resolution (A/C.2/49/L.58), which he submitted on the basis of informal consultations held on draft resolution A/C.2/49/L.8.

4. At the same meeting, the Committee adopted draft resolution A/C.2/49/L.58 without a vote (see para. 43, draft resolution I).

5. After the adoption of the draft resolution, statements were made by the representatives of Algeria (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Germany (on behalf of the States Members of the United Nations that are members of the European Community and Austria, Finland and Sweden), Ukraine, Belarus and Morocco (see A/C.2/49/SR.32).

6. In the light of the adoption of draft resolution A/C.2/49/L.58, draft resolution A/C.2/49/L.8 was withdrawn by its sponsors.

## B. Draft resolution A/C.2/49/L.10 and Rev.1

7. At the 28th meeting, on 16 November, the representative of the United States of America, on behalf of Argentina, Armenia, Austria, Belarus, Belgium, Benin, the Congo, Côte d'Ivoire, the Czech Republic, Denmark, Egypt, Eritrea, Estonia, France, Georgia, Germany, Greece, Guatemala, Honduras, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Lithuania, Luxembourg, Mali, Micronesia

(Federated States of), Morocco, the Netherlands, Nigeria, Norway, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, Spain, Sri Lanka, Sweden, Tajikistan, Togo, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Support for the Global Learning and Observations to Benefit the Environment (GLOBE) Programme" (A/C.2/49/L.10), which read:

"The General Assembly,

"Convinced that the continuing deterioration of the global environment at all levels, due to the impact of constantly increasing human activity, remains a serious concern requiring further attention, including enhanced awareness and intensified action,

"Recalling its resolution 47/190 of 22 December 1992, in which it endorsed the results of the United Nations Conference on Environment and Development, including Agenda 21, 2/

"Noting, in particular, chapter 25 of Agenda 21 entitled 'Children and youth in sustainable development', chapter 36 entitled 'Promoting education, public awareness and training', and chapter 40 entitled 'Information for decision-making', which call for greater efforts to involve youth, promote public awareness and enhance the collection and exchange of environmental data in support of the pursuit of sustainable development,

"Noting the recent entry into force of the United Nations Framework Convention on Climate Change 3/ and the Convention on Biological Diversity, 4/ the impending entry into force of the Convention on the Law of the Sea, 6/ and the recent successful conclusion of negotiations on the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa, 5/ which require for their effective implementation much greater and more effective collection and exchange of relevant environmental data,

"Recalling also its resolution 48/192 of 21 December 1993 on strengthening international cooperation in the monitoring of global environmental problems,

"Convinced of the need to inspire the youth of the world with enthusiasm for the preservation and protection of the global environment, and to provide encouragement and support for their participation in that effort,

"1. Welcomes the Global Learning and Observations to Benefit the Environment (GLOBE) Programme initiated by the Government of the United States of America on 22 April 1994, which aims to enhance the collective awareness of individuals throughout the world concerning the environment,

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6/ United Nations publication, Sales No. E.83.V.5.

increase scientific understanding of the Earth, and help all students reach the highest standards in science and mathematics education;

"2. Welcomes also the willingness expressed by many Governments to participate with the Government of the United States in shaping and carrying out the GLOBE initiative;

"3. Encourages Governments, organs, organizations and programmes of the United Nations system, as well as other intergovernmental and non-governmental organizations, to take part, as appropriate, in the development and implementation of the GLOBE initiative, with full regard for sovereign national rights and interests and within the respective mandates of the organs, organizations and programmes concerned;

"4. Requests the Secretary-General to ensure that appropriate account is taken of the GLOBE initiative in the efforts of the United Nations system to support the implementation of Agenda 21, particularly in the coordinating functions of the Inter-Agency Committee on Sustainable Development of the Administrative Committee on Coordination;

"5. Requests also that the Economic and Social Council and its subsidiary bodies, in particular the Commission on Sustainable Development, take full account of the GLOBE initiative in reviewing and promoting the implementation of Agenda 21;

"6. Requests further that the Secretary-General consider identifying an appropriate point of contact within the United Nations Secretariat to facilitate United Nations support for the GLOBE initiative;

"7. Requests the Secretary-General to report, as appropriate, to the General Assembly at its fiftieth session on the efforts of the United Nations system to support the GLOBE initiative."

8. In introducing the draft resolution, the representative of the United States orally revised it as follows:

(a) In operative paragraph 3, the words "including the United Nations Educational, Scientific and Cultural Organization" were inserted after the words "United Nations system";

(b) Operative paragraphs 6 and 7 were replaced with the following:

"6. Invites Governments to report to the Commission on Sustainable Development on their participation in the GLOBE programme within the implementation of Agenda 21, especially with regard to chapters 25, 36 and 40".

9. At the 31st meeting, on 1 December, the Vice-Chairman of the Committee, Mr. Arjan P. Hamburger (Netherlands), informed the Committee of the results of the informal consultations held on the draft resolution and drew the Committee's attention to a revised draft resolution (A/C.2/49/L.10/Rev.1) submitted by the sponsors of draft resolution A/C.2/49/L.10, joined by Kenya, Trinidad and

Tobago, Tunisia and Zambia. Subsequently, Cape Verde and Costa Rica also joined in sponsoring the revised draft resolution.

10. At the same meeting, the Committee adopted draft resolution A/C.2/49/L.10/Rev.1 without a vote (see para. 43, draft resolution II).

## C. Draft resolution A/C.2/49/L.17

11. At the 25th meeting, on 15 November, the representative of Algeria, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Dissemination of the principles of the Rio Declaration on Environment and Development" (A/C.2/49/L.17).

12. At the 29th meeting, on 23 November, the Vice-Chairman of the Committee, Mr. Arjan P. Hamburger (Netherlands), informed the Committee of the results of the informal consultations held on the draft resolution and orally revised its operative paragraph 2 by inserting the words "to continue to ensure" before the words "that its principles".

13. At the same meeting, the Committee adopted draft resolution A/C.2/49/L.17, as orally revised, without a vote (see para. 43, draft resolution III).

14. After the adoption of the draft resolution, statements were made by the representatives of Algeria (on behalf of the States Members of the United Nations that are members of the Group of 77 and China) and Belarus (see A/C.2/49/SR.29).

## D. Draft resolution A/C.2/49/L.18

15. At the 25th meeting, on 15 November, the representative of Algeria, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "International Day for the Preservation of the Ozone Layer" (A/C.2/49/L.18).

16. At the 29th meeting, on 23 November, the Vice-Chairman of the Committee, Mr. Arjan P. Hamburger (Netherlands), informed the Committee of the results of informal consultations held on the draft resolution and orally revised it as follows:

(a) In the first preambular paragraph, the words "which is responsible for filtering sunlight and preventing" were replaced with the words "which filters sunlight and prevents";

(b) In the second preambular paragraph, the words "its Executive Committee" were replaced with the words "the Executive Committee of its Multilateral Fund";

(c) The words "to be observed beginning in 1995" were added at the end of operative paragraph 1;

(d) In operative paragraph 3, the words "Calls upon" were replaced with the word "Invites";

(e) Operative paragraph 5, which read "Also requests the Secretary-General to assist in the implementation of the present resolution", was deleted.

17. At the same meeting, the Committee adopted draft resolution A/C.2/49/L.18, as orally revised, without a vote (see para. 43, draft resolution IV).

18. After the adoption of the draft resolution, the representative of Algeria made a statement on behalf of the States Members of the United Nations that are members of the Group of 77 and China (see A/C.2/49/SR.29).

## E. Draft resolution A/C.2/49/L.19

19. At the 25th meeting, on 15 November, the representative of Algeria, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Observance of World Day to Combat Desertification and Drought" (A/C.2/49/L.19).

20. At the 30th meeting, on 29 November, the Vice-Chairman of the Committee, Mr. Arjan P. Hamburger (Netherlands), informed the Committee of the results of the informal consultations held on the draft resolution, and orally revised it as follows:

(a) In the second preambular paragraph, the word "subregional" was inserted before the word "regional";

(b) In the fourth preambular paragraph, the words "and drought in accordance with the provisions of the Convention, adopted by the Intergovernmental Negotiating Committee for the Elaboration of an International Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa", were replaced with the words "in those countries experiencing serious drought and/or desertification, particularly in Africa, in accordance with the provisions of the Convention, adopted by the Intergovernmental Negotiating Committee in Paris on 17 June 1994";

(c) In operative paragraph 2, the words "the effects of" were inserted after the words "international cooperation to combat desertification and";

(d) Operative paragraph 6, which read "Requests the Secretary-General to inform the General Assembly at its fiftieth session on the implementation of the present resolution", was deleted.

21. At the same meeting, the Committee adopted draft resolution A/C.2/49/L.19, as orally revised, without a vote (see para. 43, draft resolution V).

22. After the adoption of the draft resolution, the representative of Algeria made a statement on behalf of the States Members of the United Nations that are members of the Group of 77 and China (see A/C.2/49/SR.30).

## F. Draft resolution A/C.2/49/L.20

23. At the 25th meeting, on 15 November, the representative of the United States of America, on behalf of Algeria, Antigua and Barbuda, Argentina, Australia, the Bahamas, Benin, Canada, Cape Verde, Ecuador, Eritrea, Fiji, Grenada, Indonesia, Maldives, the Marshall Islands, Mauritania, Micronesia (Federated States of), Morocco, Namibia, New Zealand, Papua New Guinea, Senegal, Sierra Leone, Sri Lanka, Suriname, Togo, Trinidad and Tobago, Tunisia and the United States of America, subsequently joined by Bangladesh, Belize, Brazil, Cuba, Egypt, Guyana, Madagascar, Myanmar, Nicaragua, Peru, the Philippines, Samoa, South Africa and Venezuela, introduced a draft resolution entitled "Unauthorized fishing in zones of national jurisdiction and its impact on the living marine resources of the world's oceans and seas" (A/C.2/49/L.20).

24. At the 32nd meeting, on 7 December, the Vice-Chairman of the Committee, Mr. Arjan P. Hamburger (Netherlands), informed the Committee of the results of the informal consultations held on the draft resolution and orally revised it as follows:

(a) A new preambular paragraph was added after the fifth preambular paragraph, reading:

> "Reaffirming the rights and duties of coastal States to ensure proper conservation and management measures with respect to the living resources in zones under their national jurisdiction, in accordance with international law, as reflected in the United Nations Convention on the Law of the Sea";

(b) In operative paragraph 1, the words "to take measures" were inserted before the words "to ensure";

(c) In operative paragraph 2, the words ", including through financial and/or technical assistance," were inserted after the words "to support efforts".

25. At the same meeting, the Committee adopted draft resolution A/C.2/49/L.20, as orally revised, without a vote (see para. 43, draft resolution VI).

26. After the adoption of the draft resolution, statements were made by the representatives of Japan, the Russian Federation, the Republic of Korea, China, Turkey and the United States of America (see A/C.2/49/SR.32).

## G. Draft decision A/C.2/49/L.24

27. At the 28th meeting, on 16 November, the representative of the United States of America, on behalf of Antigua and Barbuda, Australia, the Bahamas, Canada, Morocco, New Zealand and the United States of America, introduced a draft decision entitled "Large-scale pelagic driftnet fishing and its impact on the living marine resources of the world's oceans and seas" (A/C.2/49/L.24). Subsequently, Argentina, the Marshall Islands, Micronesia (Federated States of), Singapore and South Africa joined in sponsoring the draft decision.

28. At the 32nd meeting, on 7 December, the Vice-Chairman of the Committee, Mr. Arjan P. Hamburger (Netherlands), informed the Committee of the results of the informal consultations held on the draft decision and orally revised subparagraph (c) as follows:

(a) The words "the measures taken and" were inserted before the words "the progress made";

(b) The words "to ensure that their nationals and fishing vessels comply" were replaced with the words "to ensure full compliance";

(c) The words "sanctions against their nationals and fishing vessels that act" were replaced with the words "sanctions, consistent with international law, against acts".

29. At the same meeting, the Committee adopted draft decision A/C.2/49/L.24, as orally revised, without a vote (see para. 44, draft decision I).

30. After the adoption of the draft decision, the representative of Mexico made a statement (see A/C.2/49/SR.32).

## H. Draft resolution A/C.2/49/L.25/Rev.1

31. At the 30th meeting, on 29 November, the representative of Algeria, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Convention on Biological Diversity" (A/C.2/49/L.25/Rev.1), and orally revised the third preambular paragraph by replacing the words "Deeply concerned about the alarmingly high rate of loss of biological diversity" with the words "Deeply concerned by the alarmingly high rate of loss of biological diversity, and determined to spare no effort for the conservation of biological diversity".

32. At the 31st meeting, on 1 December, the Vice-Chairman of the Committee, Mr. Arjan P. Hamburger (Netherlands), informed the Committee of the results of the informal consultations held on the draft resolution, and orally revised it as follows:

(a) In the third preambular paragraph, the words "Deeply concerned by the alarmingly high rate of loss of biological diversity, and determined to spare no effort for the conservation of biological diversity" were replaced with the words "Deeply concerned by the continuing loss of the world's biological diversity and, on the basis of the provisions of the Convention, reiterating the commitment to the conservation of biological diversity";

(b) In operative paragraph 2, the word "Requests" was replaced with the word "Invites";

(c) In operative paragraph 4, the words "through the Commission on Sustainable Development and the Economic and Social Council" were inserted after the words "to report".

33. At the same meeting, the Committee adopted draft resolution A/C.2/49/L.25/Rev.1, as orally revised, without a vote (see para. 43, draft resolution VII).

34. After the adoption of the draft resolution, the representative of Algeria made a statement on behalf of the States Members of the United Nations that are members of the Group of 77 and China (see A/C.2/49/SR.31).

## I. Draft resolution A/C.2/49/L.50 and Rev.1

35. At the 31st meeting, on 1 December, the representative of the United States of America introduced a draft resolution entitled "Fisheries bycatch and discards and their impact on the sustainable use of the world's living marine resources" (A/C.2/49/L.50), which read:

"The General Assembly,

"Noting that the United Nations Convention on the Law of the Sea 7/ calls upon States to take into consideration the effects on associated or dependent species when establishing conservation and management measures for target fisheries,

"Recalling that the United Nations Conference on Environment and Development agreed to promote the development and use of selective fishing gears and practices that minimize waste in the catch of target fish species and minimize bycatch of non-target species, both fish and non-fish species, 8/

"Further recalling that earlier in 1992 the International Conference on Responsible Fishing held in Cancun, Mexico, also agreed to this later goal, 9/

"Also noting that the 1992 World Fisheries Conference in Athens discussed various aspects of the fisheries discard issue,

"Recalling the work of the Food and Agriculture Organization of the United Nations on fisheries bycatch and discards in the development of an International Code of Conduct for Responsible Fishing,

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7/ Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

8/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions Adopted by the Conference, resolution 1, annex II.

9/ See A/CONF.151/15.

"Also recalling that the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks is considering provisions on fisheries bycatch and discards in the draft agreement it is preparing,

"1. Believes the issue of bycatch and discards in fishing operations warrants immediate attention by the international community;

"2. Further believes an effective response to addressing fisheries bycatch and discards is necessary to ensure the continued long-term and sustainable development of fisheries on a regional and global basis;

"3. Invites regional fisheries management organizations and arrangements to review the impact of bycatch and discards on the sustainable use of the living marine resources within their areas of competence;

"4. Invites the Food and Agriculture Organization of the United Nations to formulate bycatch reduction provisions in its International Code of Conduct for Responsible Fishing;

"5. Urges the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks to incorporate fisheries bycatch and discards provisions in its agreement;

"6. Decides to include in the provisional agenda of its fiftieth session consideration of this question under the item entitled 'Environment and sustainable development'."

36. At the 34th meeting, on 13 December, the Vice-Chairman of the Committee, Mr. Arjan P. Hamburger (Netherlands), informed the Committee of the results of informal consultations held on the draft resolution and drew the Committee's attention to a revised draft resolution (A/C.2/49/L.50/Rev.1) submitted by Argentina, Australia, Costa Rica, Guyana, Micronesia (Federated States of), New Zealand, Oman, Papua New Guinea, Trinidad and Tobago and the United States of America, joined subsequently by the Marshall Islands and Suriname.

37. At the same meeting, the Committee adopted draft resolution A/C.2/49/L.50/Rev.1 without a vote (see para. 43, draft resolution VIII).

38. After the adoption of the draft resolution, statements were made by the representatives of the Republic of Korea, the Russian Federation, Mexico, Panama and the United States of America (see A/C.2/49/SR.34).

## J. Draft resolution A/C.2/49/L.77

39. At the 34th meeting, on 13 December, the representative of Algeria, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "International Day for Biological Diversity" (A/C.2/49/L.77).

40. Before the adoption of the draft resolution, statements were made by the representatives of Ukraine and Algeria (on behalf of the States Members of the United Nations that are members of the Group of 77 and China) (see A/C.2/49/SR.34).

41. At the same meeting, the Committee adopted draft resolution A/C.2/49/L.77 without a vote (see para. 43, draft resolution IX).

### K. Documents relating to environment and sustainable development

42. At its 34th meeting, on 13 December, upon the proposal of the Chairman, the Committee decided to recommend to the General Assembly that it take note of the reports under the item on which no draft proposals had been submitted (see para. 44, draft decision II).

## III. RECOMMENDATIONS OF THE SECOND COMMITTEE

43. The Second Committee recommends to the General Assembly the adoption of the following draft resolutions:

### DRAFT RESOLUTION I

### Report of the Commission on Sustainable Development on its second session

The General Assembly,

Recalling its resolution 47/190 of 22 December 1992, in which it endorsed the results of the United Nations Conference on Environment and Development,

Recalling also its resolution 47/191 of 22 December 1992 on the institutional arrangements to follow up the United Nations Conference on Environment and Development,

Reaffirming the need for a balanced and integrated approach to environment and development issues and the new global partnership for sustainable development initiated at the Conference,

Having considered the report of the Commission on Sustainable Development on its second session, 10/ which was held in New York from 16 to 27 May 1994,

Taking into account the recent national, subregional, regional and interregional efforts and initiatives to promote sustainable development,

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10/ E/1994/33, to be issued in final form as Official Records of the Economic and Social Council, 1994, Supplement No. 13 (E/1994/33/Rev.1).

1. Takes note of the report of the Commission on Sustainable Development on its second session 10/ and endorses the recommendations contained therein;

2. Welcomes the communications regarding the implementation of Agenda 21 2/ and the action taken in many countries towards elaborating, as appropriate, national sustainable development strategies and action plans provided on a voluntary basis by a number of Governments and organizations at the second session of the Commission, and encourages Governments to continue to share among themselves their experiences in the implementation of Agenda 21;

3. Underlines the importance of preparing and carrying out national sustainable development strategies, programmes or action plans, as the case may be, and to that end calls for provision of financial resources and transfer of technology;

4. Notes the ongoing work on the elaboration of sustainable development indicators;

5. Expresses its deep concern that the financial recommendations and commitments of Agenda 21, including those regarding official development assistance, despite an increase in private investment in some countries, are short of expectations and requirements and that the current availability of financial resources for sustainable development and the limited provision of adequate and predictable new and additional financial resources will constrain the effective implementation of Agenda 21 and could undermine the basis of the global partnership for sustainable development and, in this context, expresses its concern that overall official development assistance has even decreased since the United Nations Conference on Environment and Development; 11/

6. Stresses the critical need for and importance of the provision of means of implementation, in particular to developing countries, especially those relating to new and additional financial resources and the transfer of environmentally sound technology to developing countries on favourable terms, including on concessional and preferential terms, as mutually agreed, in order to assist them in implementing Agenda 21 and other decisions of the United Nations Conference on Environment and Development;

7. Also stresses the role of the Commission on Sustainable Development, as a unique international forum for fostering multilateral negotiations and promoting action in the area of changing consumption and production patterns, calls on the Commission to promote the adoption of urgent steps to implement the relevant chapters of Agenda 21 related to the crucial issue of unsustainable patterns of consumption and production, particularly in the developed countries, which not only constitute the major cause of continued global environmental deterioration but also aggravate poverty and imbalances, and, in that context, reiterates that national authorities should endeavour to promote the internalization of environmental costs and the use of economic instruments,

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11/ The report of the Organisation for Economic Cooperation and Development shows a decrease by 10 per cent in official development assistance.

taking into account that the polluter should, in principle, bear the costs of pollution;

8. Notes the work done so far by the General Agreement on Tariffs and Trade/World Trade Organization, the United Nations Conference on Trade and Development and the United Nations Environment Programme in the fields of trade, environment and sustainable development, underlines the need to ensure close cooperation and complementarity of work with the Commission on Sustainable Development, and recommends that the Commission, the United Nations Conference on Trade and Development, the United Nations Environment Programme and the Food and Agriculture Organization of the United Nations continue to be appropriately represented at the Committee on Trade and Environment of the World Trade Organization;

9. Stresses the importance of the decisions adopted by the Commission on Sustainable Development, inter alia, on health, human settlements, freshwater, toxic chemicals and hazardous wastes, as concrete steps in the implementation of the sectoral clusters of Agenda 21;

10. Encourages the continuing participation of ministers in the sessions of the Commission on Sustainable Development, including those responsible for development, planning, finance and trade in the high-level meetings of the Commission;

11. Calls upon the Commission on Sustainable Development, in accordance with chapter 38 of Agenda 21, to develop close and clear relationships with other relevant international organizations and entities, such as the conferences of parties to the United Nations Framework Convention on Climate Change, 3/ the Convention on Biological Diversity, 4/ and the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, 5/ and the Global Environment Facility, in order to increase its effectiveness in monitoring the implementation of Agenda 21 and other decisions of the United Nations Conference on Environment and Development;

12. Urges the international community, in particular the donor countries, to make efforts to strengthen further the funding capacity of international financial institutions, regional banks and other international organizations, and emphasizes that greater efforts need to be made by them effectively and demonstrably to provide resources for the implementation of Agenda 21;

13. Recommends that members of international financial institutions take the necessary steps, through their respective governing bodies, to ensure that their programmes and activities better reflect Agenda 21, particularly in order to respond to the needs of developing countries;

14. Endorses the recommendation of the Commission on Sustainable Development to draw up a matrix of policy options and financial instruments and mechanisms that would facilitate the formulation of optimal financing strategies for each of the sectoral clusters under review;

15. Requests the Secretary-General to promote further the involvement of the High-level Advisory Board on Sustainable Development in the work of the Commission, through more direct involvement of the members of the Board, in their expert capacity, in the informal meetings of the Commission and in its inter-sessional meetings, as well as to arrange briefing sessions open to all interested parties to highlight the outcome of the Board's meetings, with a view to increasing the transparency of its work, and improving communication and interchange between the Board and the Commission;

16. Underlines the need for balanced, transparent and coherent inter-sessional processes, which are participatory in nature, to facilitate the work of the Commission and its ad hoc working groups, and expresses its appreciation to the various inter-sessional initiatives of national Governments and international organizations;

17. Also underlines the need for an effective follow-up to the decisions taken by the Commission at its second session, and notes the commitments expressed by members to follow up their inter-sessional initiatives in order to contribute to a comprehensive review of Agenda 21 in 1997;

18. Notes the indispensable role that major groups play in the implementation of Agenda 21, and encourages them to contribute to the work of the Commission on Sustainable Development;

19. Also notes the work of the Inter-agency Committee on Sustainable Development and its task managers, and invites the Secretary-General to make reports of the Committee available to the Commission;

20. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community, relevant intergovernmental organizations, agencies, programmes and bodies within and outside the United Nations system, and relevant non-governmental organizations.

## DRAFT RESOLUTION II

### Support for the Global Learning and Observations to Benefit the Environment (GLOBE) Programme

The General Assembly,

Convinced that the continuing deterioration of the global environment at all levels, due to the impact of constantly increasing human activity, remains a serious concern requiring further attention, including enhanced awareness and intensified action,

Recalling its resolution 47/190 of 22 December 1992, in which it endorsed the results of the United Nations Conference on Environment and Development, including Agenda 21, 2/

Taking note, in particular, of chapter 25 of Agenda 21 entitled "Children and youth in sustainable development", chapter 36 entitled "Promoting education,

public awareness and training", and chapter 40 entitled "Information for decision-making", which call for greater efforts to involve youth, promote public awareness and enhance the collection and exchange of environmental data in support of the pursuit of sustainable development,

Noting the recent entry into force of the United Nations Framework Convention on Climate Change 3/ and the Convention on Biological Diversity, 4/ the entry into force of the United Nations Convention on the Law of the Sea, 7/ and the recent successful conclusion of negotiations on the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, 5/ which require for their effective implementation much greater and more effective collection and exchange of relevant environmental data,

Recalling its resolution 48/192 of 21 December 1993 on strengthening international cooperation in the monitoring of global environmental problems,

Convinced of the need to inspire the youth of the world with enthusiasm for the conservation, preservation and protection of all aspects of the global environment and in the pursuit of sustainable development, and to provide encouragement and support for their participation in that effort,

1. Welcomes the Global Learning and Observations to Benefit the Environment (GLOBE) Programme initiated by the Government of the United States of America on 22 April 1994, which aims to enhance the collective awareness of individuals throughout the world concerning the environment, increase scientific understanding of the Earth and help all students reach the highest standards in science and mathematics education;

2. Also welcomes the willingness expressed by many Governments to participate in shaping and carrying out the GLOBE initiative;

3. Encourages Governments, organs, organizations and programmes of the United Nations system, including the United Nations Educational, Scientific and Cultural Organization, as well as other intergovernmental and non-governmental organizations, to take part, as appropriate, in the development and implementation of the GLOBE initiative, with full regard for sovereign national rights and interests and within the respective mandates of the organs, organizations and programmes concerned, including in the pursuit of sustainable development;

4. Requests the Secretary-General to ensure that appropriate account is taken of the GLOBE initiative in the efforts of the United Nations system to support the implementation of Agenda 21, 2/ particularly in the coordinating functions of the Inter-agency Committee on Sustainable Development of the Administrative Committee on Coordination;

5. Requests that the Economic and Social Council and its subsidiary bodies, in particular the Commission on Sustainable Development, take full account of the GLOBE initiative, within the context of sustainable development, in reviewing and promoting the implementation of Agenda 21;

6. Invites Governments to communicate information to the Commission on Sustainable Development, in accordance with General Assembly resolution 47/191, on their participation in the GLOBE programme within the implementation of Agenda 21, especially with regard to its chapters 25, 36 and 40.

## DRAFT RESOLUTION III

### Dissemination of the principles of the Rio Declaration on Environment and Development

The General Assembly,

Reiterating that the Rio Declaration on Environment and Development 12/ contains fundamental principles for the achievement of sustainable development, based on a new and equitable global partnership, and reaffirming Agenda 21, 2/

Conscious of the fact that dissemination of the principles contained in the Declaration will contribute to increasing public awareness of the need to take a balanced and integrated approach to development and environment questions,

Aware of the fact that dissemination of the principles contained in the Declaration can stimulate increased national and international efforts to promote sustainable and environmentally sound development in all countries,

Taking into account its resolution 47/191 of 22 December 1992, in particular its paragraph 4 (a), in which it recommended that the Commission on Sustainable Development promote the incorporation of the principles of the Declaration in the implementation of Agenda 21, and recalling paragraphs 32 and 42 of chapter I of the report of the Commission on Sustainable Development on its first session, 13/

Recalling its resolution 48/190 of 21 December 1993 and noting that the ministers and other participants at the high-level meetings of the first and second sessions of the Commission emphasized the need to promote broad dissemination of the principles of the Declaration at all levels with a view to promoting public awareness regarding sustainable development, 14/

1. Urges all Governments to promote widespread dissemination at all levels of the Rio Declaration on Environment and Development;

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12/ Report of the United Nations Conference on Environment and Development, Rio do Janeiro, 3-14 June 1992 (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions Adopted by the Conference, resolution 1, annex I.

13/ Official Records of the Economic and Social Council, 1993, Supplement No. 5 (E/1993/25/Rev.1), part two.

14/ Ibid., chap. II, para. 17, and E/1994/33, chap. II.

2. Requests the Secretary-General to ensure that the Declaration is widely disseminated by the competent organs and bodies of the United Nations system and to continue to ensure that its principles are incorporated in their programmes and processes, in accordance with paragraphs 32 and 42 of chapter I of the report of the Commission on Sustainable Development on its first session.

## DRAFT RESOLUTION IV

### International Day for the Preservation of the Ozone Layer

The General Assembly,

Considering the urgent need to preserve the ozone layer, which filters sunlight and prevents the adverse effects of ultraviolet radiation reaching the Earth's surface, thereby preserving life on the planet,

Highlighting the importance of the implementation of the Montreal Protocol on Substances that Deplete the Ozone Layer, concluded at Montreal on 16 September 1987, and its subsequent amendments, and the relevant role played by the Executive Committee of its Multilateral Fund,

Recognizing the strong commitment shown by signatory States and States parties to the Montreal Protocol, as well as by various concerned non-governmental organizations,

1. Proclaims 16 September the International Day for the Preservation of the Ozone Layer, commemorating the date, in 1987, on which the Montreal Protocol on Substances that Deplete the Ozone Layer was signed, to be observed beginning in 1995;

2. Requests the Secretary-General to take all necessary steps to ensure the successful observance of the International Day for the Preservation of the Ozone Layer;

3. Invites all Member States to devote this special day to promotion, at the national level, of concrete activities in accordance with the objectives and goals of the Montreal Protocol and its amendments;

4. Requests the Secretary-General to make recommendations on ways and means by which the United Nations system can, without prejudice to ongoing activities, raise and make available the necessary resources, with a view to cooperating with Member States on the organization and promotion of various activities with respect to the observance of the International Day for the Preservation of the Ozone Layer.

DRAFT RESOLUTION V

Observance of World Day to Combat Desertification and Drought

The General Assembly,

Reaffirming the relevant provisions of chapter 12 of Agenda 21, 2/ adopted by the United Nations Conference on Environment and Development,

Considering that the promotion of action to implement the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, 5/ requires public awareness at local, national, subregional, regional and international levels,

Acknowledging that desertification and drought are problems of global dimension in that they affect all regions of the world and that joint action by the international community is needed to combat desertification and drought, particularly in Africa,

Recognizing the importance and necessity of international cooperation and partnership in combating desertification in those countries experiencing serious drought and/or desertification, particularly in Africa, in accordance with the provisions of the Convention, adopted by the Intergovernmental Negotiating Committee in Paris on 17 June 1994,

Recognizing also the strong commitment of the international community to implementing the Convention 5/ and its regional implementation annexes,

1. Decides to proclaim 17 June World Day to Combat Desertification and Drought, to be observed beginning in 1995;

2. Invites all States to devote the World Day to promoting public awareness through the publication and diffusion of documentaries, and the organization of conferences, round-table meetings, seminars and expositions relating to international cooperation to combat desertification and the effects of drought and the implementation of the provisions of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, 5/ and its regional implementation annexes;

3. Invites the Secretary-General to make recommendations on ways and means by which the United Nations Secretariat could assist Member States, upon their request, in organizing their national activities for the observance of the World Day;

4. Requests the Secretary-General to make the necessary arrangements to ensure the success of the observance by the United Nations of the World Day;

5. Invites all relevant United Nations bodies, within their mandates, and non-governmental organizations to promote World Day to Combat Desertification and Drought.

DRAFT RESOLUTION VI

Unauthorized fishing in zones of national jurisdiction and its impact on the living marine resources of the world's oceans and seas

The General Assembly,

Inviting all members of the international community, particularly those with fishing interests, to strengthen their cooperation in the conservation and management of living marine resources in accordance with international law as reflected in the United Nations Convention on the Law of the Sea, 7/

Recalling Agenda 21, 2/ adopted by the United Nations Conference on Environment and Development, in particular its chapter 17, concerning the sustainable development and conservation of the marine living resources of areas under national jurisdiction,

Recalling also the Programme of Action for the Sustainable Development of Small Island Developing States, 15/ adopted by the Global Conference on the Sustainable Development of Small Island Developing States, in particular chapter 4, concerning the sustainable development and conservation of the coastal and marine resources of areas under national jurisdiction,

Noting that, in the Rio Declaration on Environment and Development 12/ the international community recognized that the special situation and needs of developing countries, particularly the least developed and those most environmentally vulnerable, should be given special priority,

Expressing deep concern at the detrimental impact of unauthorized fishing in zones under national jurisdiction, where the overwhelming proportion of the global fish catch is harvested, on the sustainable development of the world's fishery resources and on the food security and economies of many States, particularly the developing countries,

Reaffirming the rights and duties of coastal States to ensure proper conservation and management measures with respect to the living resources in zones under their national jurisdiction, in accordance with international law, as reflected in the United Nations Convention on the Law of the Sea,

Taking note of recent discussions, at the international, regional and subregional levels, on fishery conservation and management measures, and on compliance with and enforcement thereof,

1. Calls upon States to take the responsibility, consistent with their obligations under international law as reflected in the United Nations Convention on the Law of the Sea, 7/ to take measures to ensure that no fishing

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15/ Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, 25 April-6 May 1994 (United Nations publication, Sales No. E.94.I.18 and corrigenda).

vessels entitled to fly their national flag fish in zones under the national jurisdiction of other States unless duly authorized by the competent authorities of the coastal State or States concerned; such authorized fishing operations should be carried out in accordance with the conditions set out in the authorization;

2. Calls upon development assistance organizations to make it a high priority to support efforts, including through financial and/or technical assistance by the developing coastal States, in particular the least developed countries and the small island developing States, to improve the monitoring and control of fishing activities, and the enforcement of fishing regulations;

3. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community, relevant intergovernmental organizations, the organizations and bodies of the United Nations system, regional and subregional fisheries bodies, and relevant non-governmental organizations;

4. Also requests the Secretary-General to submit to the General Assembly, at its fiftieth session, a report on the steps taken and on problems encountered in the implementation of the present resolution, and thereafter as may be determined by the Assembly.

## DRAFT RESOLUTION VII

### Convention on Biological Diversity

The General Assembly,

Recalling the Convention on Biological Diversity, 4/

Recalling also Agenda 21, 2/ particularly its chapter 15, on the conservation of biological diversity, and related chapters,

Deeply concerned by the continuing loss of the world's biological diversity and, on the basis of the provisions of the Convention, reiterating the commitment to the conservation of biological diversity, and the sustainable use of its components, as well as the fair and equitable sharing of benefits arising from the use of genetic resources,

1. Welcomes the early entry into force of the Convention on Biological Diversity, 4/ and the convening of the first meeting of the Conference of the Parties to the Convention on Biological Diversity, held at Nassau from 28 November to 9 December 1994;

2. Invites the Executive Secretary of the Convention on Biological Diversity to make available the results of the first meeting of the Conference of the Parties to the Convention as a contribution to the work of the third session of the Commission on Sustainable Development;

3. Calls upon those States which have not yet ratified the Convention to expedite their internal procedures of ratification, acceptance or approval;

4. Decides to consider the progress achieved in the implementation of the Convention on Biological Diversity at its fiftieth session under the item entitled "Environment and sustainable development", and invites the Executive Secretary of the Convention on Biological Diversity to report, through the Commission on Sustainable Development and the Economic and Social Council, on the results of the first meeting of the Conference of the Parties to the Convention.

## DRAFT RESOLUTION VIII

### Fisheries bycatch and discards and their impact on the sustainable use of the world's living marine resources

The General Assembly,

Recognizing that in relevant provisions of the United Nations Convention on the Law of the Sea, 7/ States are called upon to take into consideration, when establishing conservation and management measures for target fisheries, the effects on associated or dependent species, taking into account the best scientific evidence available,

Recalling that the United Nations Conference on Environment and Development, held in Rio de Janeiro in 1992, and the International Conference on Responsible Fishing, held in Cancún, Mexico, also in 1992, agreed to promote the development and use of selective fishing gears and practices that minimized waste in the catch of target fish species and minimized bycatch of non-target fish and non-fish species,

Recalling also that the World Fisheries Conference, held in Athens in 1992, discussed various aspects of the fisheries discard issue,

Noting the work of the Food and Agriculture Organization of the United Nations on fisheries bycatch and discards in the development of an international code of conduct for responsible fishing and the fact that the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks is considering provisions on fisheries bycatch and discards,

Recognizing the efforts that international organizations and members of the international community have made to reduce bycatch and discards in fishing operations and the need for continued international cooperation in this field,

Recognizing also that improvements in monitoring and assessing bycatch and discards and in bycatch reduction techniques continue to be necessary,

1. Notes the important role that fisheries play in contributing to a sustainable food supply and livelihood of present and future generations;

2. Believes that the issue of bycatch and discards in fishing operations warrants serious attention by the international community;

3. Also believes that a continued and effective response to the issue of addressing fisheries bycatch and discards is necessary so as to ensure the long-

term and sustainable development of fisheries, taking into account the relevant principles contained in the Rio Declaration on Environment and Development; 12/

4. Invites the Food and Agriculture Organization of the United Nations to formulate fisheries bycatch and discard provisions in its international code of conduct for responsible fishing, taking into account work being done elsewhere;

5. Invites the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks to elaborate fisheries bycatch and discard provisions, taking into account work being done elsewhere;

6. Invites relevant subregional and regional fisheries management organizations and arrangements and the Food and Agriculture Organization of the United Nations to review, within their respective competences, the impact of fisheries bycatch and discards on the sustainable use of living marine resources, taking into account, as appropriate, the relevant deliberations of the Food and Agriculture Organization of the United Nations with respect to the international code of conduct for responsible fishing and the relevant deliberations of the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks;

7. Decides to consider this question at its fiftieth session, under the item entitled "Environment and sustainable development".

DRAFT RESOLUTION IX

International Day for Biological Diversity

The General Assembly

1. Welcomes the recommendation of the Conference of the Parties to the Convention on Biological Diversity, held at Nassau from 28 November to 9 December 1994, to designate 29 December International Day for Biological Diversity;

2. Proclaims 29 December, the date of the entry into force of the Convention on Biological Diversity, 4/ International Day for Biological Diversity;

3. Requests the Secretary-General and the Executive Director of the United Nations Environment Programme to take all steps necessary to ensure the successful observance of International Day for Biological Diversity.

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44. The Second Committee recommends to the General Assembly the adoption of the following draft decisions:

DRAFT DECISION I

Large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas

The General Assembly, recalling its decision 48/445 of 21 December 1993, and taking note with appreciation of the report of the Secretary-General on large-scale pelagic drift-net fishing, 16/ decides:

(a) To reaffirm the importance it attaches to compliance with its resolution 46/215 of 20 December 1991, in particular, to those provisions of the resolution calling for full implementation of a global moratorium on all large-scale pelagic drift-net fishing on the high seas of the world's oceans and seas, including enclosed seas and semi-enclosed seas;

(b) To acknowledge and express its appreciation of the measures taken and the substantial progress achieved since 1992, individually and collectively, by members of the international community, international organizations and regional economic integration organizations to implement and support the objectives of its resolution 46/215;

(c) To express further serious concern that, despite the measures taken and the progress made, there are reports of continuing conduct and activities inconsistent with the terms of its resolution 46/215, and to urge authorities of members of the international community to take greater enforcement responsibility to ensure full compliance with resolution 46/215 and to impose appropriate sanctions, consistent with international law, against acts contrary to the terms of the resolution;

(d) To call upon all members of the international community, intergovernmental organizations, regional economic integration organizations and appropriate non-governmental organizations to provide the Secretary-General with information relevant to the implementation of resolution 46/215, and to request the Secretary-General to take into account the present decision in preparing his report, in accordance with decision 48/445, on further developments relating to the implementation of resolution 46/215.

DRAFT DECISION II

Documents relating to environment and sustainable development

The General Assembly takes note of the following documents:

(a) Note by the Secretary-General transmitting the reports of the Intergovernmental Negotiating Committee for the Elaboration of an International Convention to Combat Desertification in those Countries Experiencing Serious

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16/ A/49/469.

Drought and/or Desertification, particularly in Africa, on its third, fourth and fifth sessions; 17/

(b) Report of the Governing Council of the United Nations Environment Programme on its fourth special session; 18/

(c) Note by the Secretary-General on the implementation of decisions and recommendations of the United Nations Conference on Environment and Development. 19/

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17/ A/49/84 and Add.1 and 2.

18/ A/49/223-E/1994/105.

19/ A/49/463.